

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>FRANK FLOWERS, Jr.,</b>	:	<b>CIVIL NO. 3:CV-02-0136</b>
<b>Plaintiff</b>	:	
	:	<b>(Judge Munley)</b>
<b>v.</b>	:	
	:	
<b>LEBANON COUNTY PRISON, et al.,</b>	:	
<b>Defendants</b>	:	

## ORDER

On April 24, 2003, the above-captioned civil rights action, initiated by Plaintiff, Frank Flowers (“Flowers”), was dismissed and the case was closed. (Doc. 33). Flowers filed an appeal, and on July 6, 2005, the Third Circuit Court of Appeals vacated the order of dismissal and remanded the matter with instructions that Flowers be granted leave to amend his complaint. (Docs. 54, 57). Accordingly, an order was issued affording Flowers the opportunity to file an amended complaint (Doc. 55). The July 11, 2005 order was sent to Flowers’s last known address, but was returned on July 18, 2005, as undeliverable with a notation “Not deliverable as addressed - unable to forward.” (Docs. 55, 56). Since that time, there has been no communication from Flowers, and despite being informed of his obligation to keep the court apprised of his address *via* the Standing Practice Order, he has failed to do so. (Doc. 5). “A pro se plaintiff has the affirmative obligation to keep the court informed of his or her address. Should such address change in the course of this litigation, the plaintiff shall immediately inform the court of such change, in writing. If the court is unable to communicate with the plaintiff because the plaintiff has failed to notify the court of his or her address, the plaintiff will be deemed to have abandoned the lawsuit.” (Doc. 5, p. 4). Although the Court was able to confirm

that Flowers was paroled to a home plan on August 2, 2004, because of the inability to communicate with Flowers, the Court has no choice but to conclude that Flowers has abandoned the lawsuit. Consequently, the lawsuit will be deemed abandoned and the case will be closed.

**AND NOW**, to wit, this 21<sup>st</sup> day of August 2005, in accordance with the above, **IT IS HEREBY ORDERED** that:

1. The plaintiff is deemed to have ABANDONED the lawsuit;
2. The Clerk of Court is directed to CLOSE this case.

**BY THE COURT:**

  
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**JUDGE JAMES M. MUNLEY**  
United States District Court